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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

RAY, GOPAL C

ART UNIT

PAPER NUMBER

2111

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/896,215

Applicant(s)

MILLER ET AL.

Examiner

Gopal C. Ray

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

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1. Claims 1- 40 are presented for examination.
- 2.. The drawings filed on 6/29/01 are acceptable by the examiner. However, the drawings have not yet been reviewed by the USPTO draftsman.
3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
4. Claims 1, 20-22 and 26 are objected to because the word ---and--- should be inserted after “;” in claim 1, page 18, line 10; claim 20, page 22, line 9; claim 21, page 22, line 15; claim 22, page 22, line 23 and claim 26, page 23, line 10.
5. Claims 1-40 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner notes the following ambiguities. However, all claims should be revised carefully to eliminate all grammatical errors and antecedent basis problems.

As per claim 1, lines 9-10, “said socket” lacks proper antecedent basis because it is unclear as to which socket of the plurality of sockets the indicator is integrated; lines 8-9, “the associated bus” and “said bus” also lack proper antecedent basis.

As per claims 2-19, the claims incorporate the deficiencies of parent claim 1.

Furthermore, in claim 6, lines 1-2, “said socket”; claim 7, lines 2-3, “said plurality of clock speeds”; claims 9 and 10, line 3 of each claim, “said clock speed and bus mode”; “said socket”, lines 1-2 of claims 11-13; “said bus”, line 2 of claims 14 and 15; claims 16-19, lines 1-2, “said socket” lack proper antecedent basis.

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As per claim 20, line 5, "said socket" lacks proper antecedent basis because it is unclear as to which socket of the plurality of sockets the indicator is integrated.

As per claims 21-26, the claims incorporate the deficiencies of the parent claim 20.

Claim 27 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. It is unclear as to how signals, i.e., electric current representing data or information are connected to an adapter card. Furthermore, it is unclear as to where the socket is integrated.

As per claims 28-40, the claims incorporate the deficiencies of the parent claim 27.

Furthermore, in claim 35, line 2, "said hot-plug switch" lacks proper antecedent basis.

The word "on" in line 3 of claims 17, 19, 34 and 36 should be replaced by the word "one--".

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 2, 5, 14-16, 20-22, 27, 33, and 37-40 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,611,057 issued to Pecone et al.

As per claim 1, the reference of Pecone et al. teaches “a bus system for transmitting address, data and control signals with selectable bus configuration” in Fig. 5 and col. 6, line 60 – col. 7, line 6; “a plurality of bus sockets on said circuit board for connecting an adapter card with said bus signals” in Figures 1A-B, elements 82, 84 and col. 3, lines 56-60; “whereby the specification of said adapter card determines the configuration of the associated bus; an indicator for said bus indicating said configuration, wherein said indicator is integrated in said socket” in col. 5, lines 49-55.

As per claim 2, the reference of Pecone et al. teaches the added features in Fig. 5; col. 6, line 60 – col. 7, line 6; Figures 1A-B, elements 82, 84 and col. 3, lines 56-60 and ; and col. 5, lines 49-55.

As per claim 5, the reference of Pecone et al. teaches “wherein each socket further comprises an integrated control unit driving said indicator” in col. 5, lines 49-53.

As per claim 14, the reference of Pecone et al. teaches “PCI-bus” in Fig. 5, element 120.

As per claim 15, the reference of Pecone et al. teaches “PCI-X bus” in col. 7, lines 3-6.

As per claim 16, the reference of Pecone et al. teaches the added limitation in col. 4, line 65- col. 5, line 2.

As per claims 20-22, the claims recite methods which parallel apparatus claims 1-2. In teaching the construction and use of the device, US Patent 5,611,057 issued to Pecone et al. teaches corresponding methods.

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As per claim 27, the reference of Pecone et al. teaches "socket for a computer bus system for connecting a plurality of address, data and control signals to an adapter card which can be plugged into said socket, comprising an indicator for indicating a bus configuration" in Fig. 5; col. 6, line 60 – col. 7, line 6; Figures 1A-B, elements 82, 84 and col. 3, lines 56-60 and ; and col. 5, lines 49-55.

As per claims 33, and 37-39, the claims are rejected for the same reasons as discussed in the rejection of claims 16, 14, 15 and 5 respectively.

As per claim 40, the reference of Pecone et al. teaches the added limitation in col. 5, lines 43-49.

8. Claims 3, 4, 6-13, 17-19, 23-26, 28-32, and 34-36 are rejected under 35 U.S.C. 112, second paragraph and would be allowable over the prior art on record if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action. If applicants are aware of any better prior than those are cited, they are required to bring the prior art to the attention of the examiner.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is urged to consider the references. However, the references should be evaluated by what they suggest to one versed in the art, rather than by their specific disclosure. The prior art submitted by applicant has been considered by the examiner and made of record in the file.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gopal C. Ray whose telephone number is

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(703) 305-9647. The examiner can normally be reached on Monday - Friday from 8:00 AM - 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached on (703) 305-4815. The new fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [mark.rinehart@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC2100 receptionist whose telephone number is (703) 305-3900.


GOPAL C. RAY
PRIMARY EXAMINER
GROUP 2100